

**IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
GUARDIANSHIP PETITION NO.42 OF 2007**

Smt. Nanda D. Shetty

...Petitioner

Mr.M.P.Bhave i/b. Jyotsna Vyas for Petitioner

Petitioner present

Father of the child also present

**CORAM: SMT. ROSHAN DALVI, J.
DATED: 28TH MARCH, 2007**

P.C.

1. This Petition is filed by the sister of the deceased Suma Shankar Shetty who expired on 17th May, 1998 to be appointed as Guardian of the child of her sister Suma. The husband of the deceased sister has been remarried. He has no objection to the appointment of the Petitioner as the guardian of his child through his first wife Suma.
2. The child lives with the Petitioner.
3. The Petition is made absolute in terms of prayer clause (b).
4. The Provident Fund Commissioner shall pay/deposit the

amount of the provident fund payable to Suma Shankar Shetty with the Accounts Officer, High Court, Bombay. The said amount shall be invested with the Accounts Officer of this Court in the name of the minor child Tripti showing the Petitioner as her guardian in as FDR in any Nationalised Bank or RBI Bonds.

5. The Petitioner shall be entitled to receive the interest that accrues due on the said investment for the maintenance of the minor child.
6. The School where the deceased worked as a Teacher shall pay the pension amount payable to the deceased in the name of the minor child showing the Petitioner as the guardian. The Petitioner shall deposit the said amount in a separate Pension Account to be opened in the name of the minor child and showing her as guardian.
7. The Petitioner shall be entitled to use the proceeds of the said Account also for the maintenance of the minor child Tripti Shankar Shetty.
8. The Petition is disposed of accordingly.

(SMT.ROSHAN DALVI, J.)